

02-14-01

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I hereby certify that, on the date indicated above, I deposited this paper and accompanying papers and fee with the U. S. Postal Service and that it was addressed to the Assistant Commissioner for Patents, Washington, D. C. 20231, by "Express Mail Post Office To Addressee" service.

PHYLLIS D. CALDWELL
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Phyllis D Caldwell
Signature

JCE21 U.S. PTO
09/782320
02/13/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No.: BVL-102A

Prior Application: 09/269,763

Prior Art Unit: 1732

Prior Examiner: M. Eashoo

Assistant Commissioner For Patents
Washington, DC 20231

Sir:

This is a request for filing the enclosed divisional application under 37 C.F.R. Section 1.53(b), of pending prior application Serial No. 09/269,763, filed on May 17, 1999, in the name of Bernhard H. van Lengerich for EMBEDDING AND ENCAPSULATION OF CONTROLLED RELEASE PARTICLES. The enclosed divisional application includes 44 pages of specification, 32 pages of claims, 1 page of abstract, and six (6) sheets of corrected formal drawings as filed in parent application Serial No. 09/269,763, filed May 17, 1999. Also enclosed is a copy of the executed Declaration from the prior application.

Before calculating the filing fee, please cancel claims: 1-24

A Preliminary Amendment is enclosed.

An Information Disclosure Statement is being filed concurrently herewith.

The filing fee is calculated below:

CLAIMS AS FILED IN THE PRIOR APPLICATION LESS ANY CLAIMS

CANCELLED BY AMENDMENT ABOVE

Basic filing fee	\$ 710.00
Total extra claims (45) x \$18.00	\$ 810.00
Independent claims over 3 = (2) x \$80.00	<u>\$ 160.00</u>
TOTAL....	<u>\$ 1,680.00</u>

Attached is our check in the amount of \$1,680.00 to cover the filing fee.

If any discrepancies in the calculated fee, the Commissioner is hereby authorized to charge any and all fees which may be required, or credit any overpayment to our Deposit Account No. 501032. A duplicate copy of this sheet is enclosed.

As requested by preliminary amendment, amend the specification on page 1 by inserting prior to "BACKGROUND OF THE INVENTION" the sentence: --This is a divisional of application serial no. 09/269,763 filed May 17, 1999, which is a 371 of PCT/US97/18984, filed October 27, 1997, which claims priority of provisional applications no. 60/029,038, filed October 28, 1996 and no. 60/052,717, filed July 16, 1997--

The parent application is assigned to General Mills, Inc. by virtue of assignments

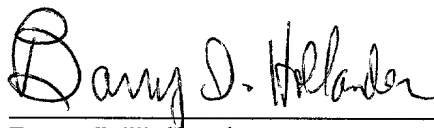
recorded at Reel 011062, Frame 0728, and Reel 011062, Frame 0788, on October 25, 2000.

The Power of Attorney in the prior application is to: Douglas J. Taylor, Reg. No. 32,945, John A. O'Toole, Reg. No. 28,336, Barry I. Hollander, Reg. No. 28,566, Virgil H. Marsh, Reg. No. 23,083, Kara M. Armstrong, Reg. No. 38,234, and Irina S. Zemel, Reg. No. 43,402.

The power of attorney in the original papers appears in the parent application, Serial No. 09/269,763, filed May 17, 1999.

Address all further communications and direct all telephone calls to: Douglas J. Taylor, Esq., General Mills, Inc., P. O. Box 1113, Minneapolis, MN 55440, (tele) 763-764-4402, (fax) 763-764-2268.

The entire disclosure of the prior application no. 09/269,763, filed May 17, 1999, from which a copy of the oath or declaration is supplied, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference herein.



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February 13, 2001